

SALT LAKE COUNTY
COUNTYWIDE POLICY
ON
GRAMA APPEALS PROCEDURE

Reference --

Government Records Access and Management Act (GRAMA), Utah Code Annotated, Sections 63G-2-401 through 407 & 701

Records Management, Salt Lake County Ordinance, Section 2.82.100

Purpose --

The appeals process provides members of the public with a process for petitioning Salt Lake County to reconsider records request issues.

1.0 Types of Appeals

Members of the public may appeal a decision made by the County concerning:

- 1.1 records classifications
- 1.2 fees charged for records
- 1.3 an agency's response to a records request

2.0 Appeals

2.1 Agency Designee

2.1.1 County agencies shall attempt to resolve public complaints concerning records requests informally and at the lowest possible administrative level.

2.1.2 If a requestor is aggrieved by the county's classification of a record, the fees charged for a record, or by an agency's response to a record request, the requestor may request and be granted an initial administrative appeal of that grievance, in accordance with countywide policies and procedures adopted by the council. The initial administrative appeal is made to the agency designee pursuant to countywide policies and procedures adopted by council.

2.1.3 The agency designee shall have ten business days after the agency designee's receipt of the notice of appeal (or twelve business days after the county sends a notice of appeal to a person who submitted a claim of business confidentiality) to respond to the record request. Designee shall provide a written decision to the appellant.

- 2.1.4 If a requestor and a County agency designee cannot resolve a complaint at the agency level, the requestor may submit a written notice of appeal to the Chief Administrative Officer for Appeals (“CAOA”). The notice of appeal shall state the basis of the appeal and the relief requested. The requestor shall file the notice of appeal within thirty (30) days of receiving an adverse decision from a County agency.
- 2.1.5 A notice of appeal is considered filed when it is received and date-stamped at the County office of the CAOA designated to respond to the specific records request, located at 2001 South State Street, N3200, Salt Lake City, Utah 84190. No notices of appeal sent by facsimile, e-mail, or any other electronic submission will be accepted.

2.2 Chief Administrative Officer of Appeals

- 2.2.1 Upon receiving an appeal notice of an agency decision, the CAOA shall have ten (10) business days after the CAOA’s receipt of the notice of appeal (or twelve (12) business days after the county sends a notice of appeal to a person who submitted a claim of business confidentiality) to respond to the record request.
- 2.2.2 The county shall send written notice of the CAOA’s decision to all participants.
- 2.2.3 In the event the CAOA affirms the access denial, or fails to respond to the records request within the time limits listed above, the person aggrieved may then appeal the CAOA’s decision.

2.3 Appeal of the Chief Administrative Officer of Appeals’ Decision

- 2.3.1 Either party may appeal the decision of the CAOA to the state records committee or by filing a petition for judicial review with the district court.
- 2.3.2 A party who appeals the CAOA decision to the records committee does not lose or waive the right to seek judicial review of the decision of the records committee.

APPROVED and PASSED this day of .

SALT LAKE COUNTY COUNCIL:

By Steve DeBry

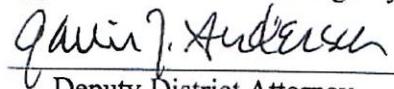
Steve DeBry, Chair

ATTEST:



Sherrie Swensen, County Clerk

Approved as to form and legality:



Deputy District Attorney

Date: 30 Oct 2017